

Cabinet

Tuesday 5 December 2023

11.00 am

Rooms GO2A, B and C, 160 Tooley Street, London SE1 2QH

Supplemental Agenda No. 4

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Contact

Email: paula.thornton@southwark.gov.uk; constitutional.team@southwark.gov.uk
Webpage: www.southwark.gov.uk

Date: 4 December 2023

Item No. 15.	Classification: Open	Date: 5 December 2023	Meeting Name: Cabinet
Report title:		The Council Tax Base for 2024-25	
Ward(s) or groups affected:		London Borough of Southwark (all wards)	
From:		Councillor Stephanie Cryan, Communities, Democracy and Finance	

FOREWORD FROM COUNCILLOR STEPHANIE CRYAN, CABINET MEMBER FOR COMMUNITIES, DEMOCRACY AND FINANCE

In this report cabinet is asked to agree the council tax base and assumed collection rate with which we will estimate our council tax income for next year's budget. We are recommending an increase of around 3,000 band D equivalent dwellings to use as the 2024-25 council tax base, an increase from 109,174 homes in 2023-24 to **112,166** for 2024-25. Whilst collection remains difficult and uncertain in the current economic climate following the government's mini budget of 2022, the after-effects of the Covid-19 pandemic and the Cost of Living Crisis, it is recommended that the collection rate assumption remains unchanged at **97.2%**.

I am again pleased to confirm a continuation of the local discretionary increase in the council tax premium on long-term empty homes from 1 April 2021 into 2024-25. The premium remains at the maximum permitted 300% premium effective for dwellings empty for at least 10 years. However, following the passing of the Levelling Up and Regeneration Act 2023 (Royal Assent 26 October 2023) the minimum period to charge the 100% premium has changed from 2 years to 1 year:

- 100% for those dwellings empty for 1 year and less than 5 years;
- 200% for dwellings empty for at least 5 years but less than 10 years; and
- 300% premium for dwellings empty for at least 10 years

The same bill also gives local authorities the option to charge a 100% premium for second homes effective from 1 April 2025 provided one year notice is given.

Southwark will benefit from the raising of more income to support services and as a deterrent to homes being left empty for significant periods.

I am also pleased to announce no changes in the council tax reduction scheme for 2024-25 for our pension age or vulnerable and least well-off households. It is more important than ever that we continue to support residents in financial

hardship against a background of the cost of living crisis, recessionary impacts and economic downturn highlighted elsewhere in this report.

Finally, I am delighted to announce the continuation of the exemption from council tax for young people leaving Southwark's care and for Southwark foster carers. Both of these exemptions have been successful in supporting our care leavers as they make the often challenging next move in life, and in recruiting and retaining vital local foster carers as well as recognising the hugely important commitment these individuals and families make to Southwark. We have a long-term commitment to supporting our Care Leavers but we are currently required to renew these commitments annually.

RECOMMENDATIONS

1. Cabinet agree that the council tax base for 2024-25 is set at 112,166 (109,174 in 2023-24) band D equivalent dwellings (Appendix A).
2. Cabinet recommend to council assembly the schedule of discounts and exemptions in paragraph 12, including the premiums applicable for long-term empty dwellings.
3. Cabinet agree the assumed council tax collection level for 2024-25 should remain at 97.20% (2023-24 97.20%).
4. Cabinet agree the 2024-25 council tax base for St. Mary Newington parish is set at 12,881 (12,509 in 2023-24) band D equivalent dwellings.
5. Cabinet agree the proposed continuation of the current council tax section 13A (1)(c) policy¹ covering discretionary relief terms (refer to paragraphs 17 to 18):
 - to continue council tax discretionary relief (0% to 100%) for young people leaving care aged 18 to 24 years for the period 1 April 2024 to 31 March 2025;
 - to continue foster carers' discretionary relief (0% to 100%) for the period 1 April 2024 to 31 March 2025.
6. Cabinet agree to implement a 100% premium on second homes from 1 April 2025 as per the Levelling Up and Regeneration Act 2023.
7. Cabinet to note concerning the council tax reduction scheme:
 - no changes to the council tax reduction scheme (CTRS) for 2024-25, as set out in paragraphs 19 to 23;

¹ Southwark council tax section 13A (1)(c) policy

- any minor and consequential amendments to the CTRS written policy are to remain delegated to the Strategic Director of Finance in consultation with the monitoring officer.
8. Cabinet to note the change in definition of long-term empty properties for the purposes of the 100% premium as set out in paragraph 12.

BACKGROUND INFORMATION

9. Regulations require the council to inform its preceptors of the council tax base by 31 January 2024.
10. This report sets out the statutory information that is needed in order to set the council's council tax base for 2024-25. A further report will be presented to council assembly and council tax setting committee in February 2024 setting out the level of council tax needed to meet the council's net expenditure for the financial year 2024-25.

KEY ISSUES FOR CONSIDERATION

11. There are a number of factors which impact the council tax base calculation and these are discussed in the sections below:
- Council tax discounts, exemptions and premiums
 - Southwark council tax section 13A policy – discretionary relief
 - Council tax reduction scheme
 - Council tax collection rate
 - Calculation of the council tax base
 - Revenue budget implications 2024-25

Council tax discounts, exemptions and premiums

12. All council tax discounts, exemptions and premiums from 2023-24 remain unchanged for 2024-25, except for the following two changes:
- the 100% premium on homes left empty for less than 5 years which will now be effective after 1 year empty rather than 2 years;
 - a new 100% premium on second homes for 2024-25.

These follow a change in definition in the Levelling Up and Regeneration Act 2023 whereby the long-term empty properties are defined as being unoccupied and substantially unfurnished for at least 1 year rather than 2 years; and the introduction of discretionary new powers for councils concerning premiums on second homes. As always, these remain subject to change in future years. The overall position effective from 1 April 2024 is shown below:

Type of Council Tax Discounts, Exemptions and Premiums	Para	Local / Statutory	Discount / Premium
Single person discount	13	Statutory	-25%
All except one person in household disregarded	13	Statutory	-25%
All persons in household disregarded	13	Statutory	-50%
Empty dwelling for greater than 1 year ² and less than 5 years - continuing premium ³	14	Local	+100%
Dwellings empty for at least 5 years but less than 10 years	14	Statutory	+200%
Dwellings empty for at least 10 years - continuing premium	14	Statutory	+300%
Second home discount	16	Local	-0%
Second home premium	16	Local	+100%

13. Occupants may be disregarded for the purposes of establishing the billable amount. Qualifying students, for example, are disregarded, and households containing only students are fully exempt. If all but one of the occupants is disregarded, a 25% discount is awarded. If all occupants are disregarded, but no exemption is applicable, a 50% discount is awarded.
14. A higher council tax premium for long-term empty dwellings was introduced by the government⁴ in 2018.
- Effective from 1 April 2021 onwards, the maximum percentage increase for long-term empty properties is a premium of 100% for empty dwellings greater than 1 year and less than 5 years;
 - For dwellings empty for at least 5 years but less than 10 years, the premium is 200%;
 - For dwellings empty for at least 10 years, the new premium is 300%.
15. The change stated in paragraph 14 has effect for financial years beginning on or after 1 April 2021, and it does not matter whether the “empty” period begins before the Council Tax (Empty Dwellings) Act 2018 came into force.
16. Second homes now may be considered for premiums as well as discounts. Discount schemes are left to local discretion, between a statutory minimum of 0% and statutory maximum of 50%. Following legislation that came into effect on 26 October 2023⁵ councils will also be able to charge a 100% premium on second homes. Councils planning to implement this premium must advertise this determination one year before it comes into effect on 1

² Levelling Up and Regeneration Act 2023, section 79

³ Local Government Finance Act 2012, section 11B

⁴ Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018

⁵ Levelling Up and Regeneration Act 2023

April 2025. This report recommends that this is implemented and to this end further information will be provided to taxpayers by 31 March 2024.

Southwark council tax section 13A policy – discretionary relief

17. Southwark council's 2024-25 section 13A policy allows for local council tax discretionary relief to be awarded to council tax payers falling into prescribed categories.
18. There is no change in 2024-25 to the council's section 13A policy, which continues with the initiative to include council tax discretionary relief for young people leaving Southwark council's care aged 18 to 24 years, who are liable for council tax. Foster carers are able to claim discretionary relief. The proposed extension of the current council tax section 13A policy covering discretionary relief is as follows:
 - to continue council tax discretionary relief (0% to 100%) for young people leaving Southwark council's care aged 18 to 24 years, for the period 1 April 2024 to 31 March 2025 (a sixth year for this scheme)
 - to continue foster carers discretionary relief (0% to 100%), for the period 1 April 2024 to 31 March 2025.

Council tax reduction scheme

19. There is no change in the council tax reduction scheme for 2024-25.
20. Since 2013-14 there has been a significant change in the calculation of the council tax base. The localisation of council tax support has resulted in a substantial reduction in the number of band D equivalent properties in the tax base. Instead of council tax benefit claimants having council tax paid for through council tax benefit, from 1 April 2013, through the council's localised council tax reduction scheme (CTRS) claimants receive a discount, up to a maximum 100% discount for pension age claimants, to a maximum 85% discount for working age claimants.
21. The actual amount of CTRS discount applied is monitored monthly and an adjustment has been made to forecast these figures to obtain a more representative estimate for 2024-25.
22. The CTRS caseload reduced gradually between 2013-14 and 2019-20, leading to an increase in the tax base. From April 2020 there was an increase in the caseload due to the number of residents that made claims for Universal Credit (UC) that then qualified for CTR during the period of the COVID-19 pandemic. However, as the economy recovered from the pandemic the number of residents qualifying for CTR has steadily fallen again with the caseload now starting to reduce beyond pre-pandemic levels. Nevertheless, as CTR caseloads correlate with wider economic trends, rising levels of inflation and the ongoing cost of living crisis mean that caseload trends will continue to be closely monitored.

23. Current estimates show that for 2024-25 this will reduce the overall council tax base by 15,471 properties before adjustment for the collection rate (Appendix A).

Council tax collection rate

24. The council is also required to estimate its collection rate for 2024-25 at the same time as arriving at the estimated number of properties within the tax base. In arriving at a percentage collection rate for 2024-25, the council considers the likely sum to be collected, previous collection experience and any other relevant factors.
25. The actual sum to be collected from local council taxpayers cannot be finally determined until the preceptor's requirements are known and the council has approved its budget. The council therefore must make an estimate of the sums to be collected locally, making estimated allowances for sums from council tax support and write-offs/non-collection.
26. The collection performance as at 31 October 2023 was 63.1% (31 October 2022 was 66.1%). Refer to Appendix B.
27. Arrears collection as at 30 September 2023 was £2.70m compared with the annual target of £3.6m (on 30 September 2022 this was £2.27m against an annual target of £3.6m).
28. The Strategic Director of Finance recommends that a **97.2%** assumed collection rate in 2024-25 would give the best estimate of the likely value to be obtained from the council tax demands issued in April 2024. This is based on collection performance in previous years and to date in 2023-24. However, there are still considerable uncertainties arising from economic/financial impacts of the current recession, the cost of living crisis, and high inflationary pressures.
29. The 2023-24 collection fund forecast surplus or deficit will be reported in the Policy and Resources Strategy 2024-25 balanced revenue budget report to cabinet in January 2024. Any collection fund estimated surplus or deficit must be accounted for in the council tax calculations for 2024-25 subject to regulations on the phasing of any previous actual in-year council tax deficits arising from 2022-23.

Calculation of the council tax base

30. Calculation of the council tax ("the tax") is governed by the Local Government Finance Act 1992 ('the Act') and various regulations thereunder. In particular, Section 31B of the Act requires the basic (band D) tax to be calculated by applying the formula: the council tax requirement divided by the council's tax base.

31. Although the council's net budget requirement for 2024-25 has not yet been determined, the tax base can be set and is subject to the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, made under section 33 of the Act and subsequent amendments. Regulation 8 of the 2012 Regulations requires the calculation for 2024-25 to be made between 1 December 2023 and 31 January 2024.
32. The proportions applicable to the various council tax bands (the "basic" band being D) are as follows:

Band	Proportion (ninths)
A	6/9
B	7/9
C	8/9
D	9/9
E	11/9
F	13/9
G	15/9
H	18/9

33. There is an additional band -A (5/9 of band D). This only arises where a person in a band A property receives a band reduction through disability related relief (Appendix A).
34. The council's basic tax is calculated in respect of band D. The bands are based on the above proportions, so band A properties pay 6/9 of the basic tax, band B pay 7/9 of the basic tax and so on, up to band H where the tax is 18/9, or twice the tax at band D.
35. The calculation of the tax base is summarised below (Appendix A(i)):

Total of the relevant amounts	115,397
Tax base collection rate	97.2%
2023-24 council tax base	112,166

36. Additional earmarked income may be available from trust funds, which can subsidise council tax in the former parish of St. Mary Newington. Separate calculations have to be made for this specific area, hence the division within Appendix A. When available, the subsidy to St Mary Newington is taken from interest earned on the Walworth Common Trust capital sum, divided by the tax base to give a band D equivalent subsidy.

Revenue budget implications 2024-25

37. Subject to cabinet approval, the council tax bases recommended in this report and the projected surplus / deficit on the collection fund as at 31 March 2024 will be used in the calculation of the level of council tax that will be recommended to council assembly and the council tax setting committee in February 2024.

Climate change implications

38. There are no implications for climate change from the recommendations arising from this report.

Consultation

39. Calculation of the council tax base forms an integral part of the revenue budget setting process for 2024-25. The budget is supported by the council's medium term resource strategy as agreed by cabinet.

Community, equalities (including socio-economic) and health impacts

40. This report contains technical calculations relating to the council's tax base for 2024-25. There are no direct community, equalities (including socio-economic) and health impacts arising from this decision. As regards the continuing provision of the CTRS and the section 13A discretionary relief, there are positive impacts on individuals with protected characteristics including age and disability and a positive socio-economic impact given the assistance being provided to more vulnerable people.
41. The impact on the community of any potential change in service design, outcomes or access arising from recommendations relating to the 2024-25 revenue budget will need to be addressed and identified as part of the final budget submission to council assembly in February 2024.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive (Governance and Assurance) [AJW 28.11.2023]

42. Decisions relating to the setting of the council tax base are reserved to cabinet under part 3B of the council's constitution.
43. The legal basis for the setting of the council tax base is found under section 31B of the Act which imposes a duty on a billing authority to calculate its council tax by applying a formula laid down in that section. This relies on calculating a figure for the council tax base for the year which is formulated with reference to The Local Authority (Calculation of Council Tax Base) (England) Regulations 2012. The report sets out this calculation for decision by cabinet.
44. On 23 January 2013 council assembly adopted the CTRS written policy which had been developed by officers. At the same meeting the council also approved that decision-making on any minor and consequential amendments to the CTRS written policy be delegated to the Strategic Director of Finance and Corporate Services [now the Strategic Director of Finance] in consultation with the monitoring officer. The council is required

to consider annually whether to amend the scheme. This report indicates that no such amendments are being recommended this year.

45. The council has the power under s13A(1)(c) of the Act to reduce council tax to such extent as it thinks fit, in addition to any council tax reduction scheme. The power to do this is an executive function which the cabinet determines in accordance with its responsibilities for the council's financial management under Part 3B of the council's constitution. This report sets out the ongoing additional council tax reductions being agreed under these provisions.
46. A number of discounts and exemptions are identified in the report. Provision is made for these in sections 11- 11C of the Act. Some of these are statutorily imposed as indicated. Where there is local discretion in accordance with the table in paragraph 12 the approval has to be made by council assembly in accordance with section 67 of the Act. This report recommends the continuing application of the same discounts and exemptions as are currently applied.
47. Cabinet is reminded that the council is subject to the public sector equality duty in section 149 Equality Act 2010, and attention is drawn to the community impact section of the report in this regard.
48. The duty requires the council, in the exercise of all its functions, to have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The duty is a continuing one. Consideration of the points made in the community impact section assists the cabinet and the council in complying with this duty.

49. Members are reminded that Section 106 of the Local Government Finance Act 1992 ("the Act") places restrictions on the ability of members in arrears of council tax to vote in meetings on certain financial matters.
50. Where a member has at least two months' arrears of council tax, and they are present at a meeting in which any of the following matters is being considered:
 - Any calculation relating to next year's council tax; or
 - Any recommendation, resolution or other decision which might affect the making at any such calculation [which includes the decisions being made by cabinet at this meeting] ; or
 - Decisions relating to the administration of council tax

the member affected must declare that section 106 of the Act applies and they shall not vote on any question relating to the matter. The member may remain in the meeting and may speak, but he or she may not vote on the matter. For executive functions, no member of the executive to whom this applies shall take any action or discharge any function with respect to the matter.

REASON FOR URGENCY

51. Reason for urgency is that the council tax base calculation for 2024-25 must be made between 1 December 2023 and 31 January 2024. The figure is used for revenue budget setting purposes and has historically been reported to members at the December cabinet.

REASON FOR LATENESS

52. Reason for lateness is that statute requires the estimate for the council tax base be established using information as at 30 November of each year. This means there is a short period in which the supporting calculations can be completed.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Tax Base 24-25 - workings	Southwark Council 160 Tooley Street London SE1 2QH	Finance Professional Financial Services Humphrey Thompson
<p>Link: Issue Details – Council Tax Base 2023-24 – Southwark Council The Council tax base for 2023-24</p>		

APPENDICES

Appendix	Title
Appendix A (i)	Council tax base for 2024-25 for London Borough of Southwark (all wards)
Appendix A (ii)	Council tax base for 2024-25 for the parish of St Mary Newington
Appendix A (iii)	Council tax base for 2024-25 for the London Borough of Southwark, excluding the parish of St Mary Newington
Appendix B	Council Tax – Collection achieved and projected

AUDIT TRAIL

Cabinet Member	Councillor Stephanie Cryan, Communities, Democracy and Finance	
Lead Officer	Clive Palfreyman, Strategic Director of Finance	
Report Authors	Humphrey Thompson Divisional Accountant, Finance	
Version	Final	
Dated	4 December 2023	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Assistant Chief Executive (Governance and Assurance)	Yes	Yes
Strategic Director of Finance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	4 December 2023	

**COUNCIL TAX BASE 2024-25 FOR LONDON BOROUGH OF SOUTHWARK
ALL WARDS - FOR COUNCIL TAX SETTING**

	LONDON BOROUGH OF SOUTHWARK (ALL WARDS)	COUNCIL TAX BAND									TOTAL
		- A	A	B	C	D	E	F	G	H	
1	Number of Chargeable Dwellings	9	11,130	36,194	34,627	26,933	19,982	7,414	4,505	800	141,594
2	Adjustment for the number of dwellings subject to a discount	(1)	(1,641)	(4,127)	(2,883)	(1,997)	(1,192)	(385)	(187)	(30)	(12,443)
3	Adjustment for the number of dwellings subject to a premium	-	788	1,110	333	202	119	67	26	21	2,666
4	Adjustment for the localised council tax support scheme	(5)	(2,013)	(5,769)	(3,991)	(2,177)	(1,236)	(229)	(50)	(1)	(15,471)
5	Adjustment for forecast changes in the tax base	-	-	-	-	386	-	-	-	-	386
6	Total in band (1+2+3+4+5)	3	8,264	27,408	28,086	23,347	17,673	6,867	4,294	790	116,732
	Multiply by band factor	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
7	Number of Band D Equivalents	2	5,509	21,317	24,965	23,347	21,601	9,919	7,157	1,580	115,397
8	Estimated Collection Level										97.2%
9	Estimated 2023-24 TAX BASE (7) x (8)										112,166

**COUNCIL TAX BASE 2024-25
ST MARY NEWINGTON - FOR COUNCIL TAX SETTING**

	ST. MARY NEWINGTON	COUNCIL TAX BAND									TOTAL
		- A	A	B	C	D	E	F	G	H	
1	Number of Chargeable Dwellings	1	2,530	6,752	5,004	1,951	1,463	357	72	23	18,153
2	Adjustment for the number of dwellings subject to a discount	-	(333)	(704)	(355)	(138)	(74)	(17)	(3)	-	(1,624)
3	Adjustment for the number of dwellings subject to a premium	-	515	670	83	16	4	4	-	3	1,295
4	Adjustment for the localised council tax reduction scheme	(1)	(437)	(1,076)	(665)	(237)	(163)	(12)	(6)	-	(2,597)
5	Adjustment for forecast changes in the tax base	-	-	-	-	-	-	-	-	-	-
6	Total in band (1+2+3+4+5)	-	2,275	5,642	4,067	1,592	1,230	332	63	26	15,227
	Multiply by band factor	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
7	Number of Band D Equivalents	-	1,517	4,388	3,615	1,592	1,503	480	105	52	13,252
8	Estimated Collection Level										97.2%
9	Estimated 2023-24 TAX BASE (7) x (8)										12,881

**COUNCIL TAX BASE 2024-25
LONDON BOROUGH OF SOUTHWARK EXCLUDING ST. MARY NEWINGTON
FOR COUNCIL TAX SETTING**

	LONDON BOROUGH OF SOUTHWARK (excl. St. Mary Newington & St. Saviour's)	COUNCIL TAX BAND									TOTAL
		- A	A	B	C	D	E	F	G	H	
1	Number of Chargeable Dwellings	8	8,600	29,442	29,623	24,982	18,519	7,057	4,433	777	123,441
2	Adjustment for the number of dwellings subject to a discount	(1)	(1,308)	(3,423)	(2,528)	(1,859)	(1,118)	(368)	(184)	(30)	(10,819)
3	Adjustment for the number of dwellings subject to a premium	-	273	440	250	186	115	63	26	18	1,371
4	Adjustment for the localised council tax support scheme	(4)	(1,576)	(4,693)	(3,326)	(1,940)	(1,073)	(217)	(44)	(1)	(12,874)
5	Adjustment for forecast changes in the tax base	-	-	-	-	386	-	-	-	-	386
6	Total in band (1+2+3+4+5)	3	5,989	21,766	24,019	21,755	16,443	6,535	4,231	764	101,505
	Multiply by band factor	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
7	Number of Band D Equivalent	2	3,993	16,929	21,350	21,755	20,097	9,439	7,052	1,528	102,145
8	Estimated Collection Level										97.2%
9	Estimated 2023-24 TAX BASE (7) x (8)										99,284

COUNCIL TAX - COLLECTION ACHIEVED & PROJECTED

	2018/19 £'000	2019/20 £'000	2020/21 £'000	2021/22 £'000	2022/23 £'000	2023/24 £'000
Total Debit	180,193	190,628	199,243	204,769	226,062	243,672
Exemptions	(8,269)	(8,762)	(9,040)	(10,072)	(12,029)	(11,795)
Disabled relief	(69)	(72)	(72)	(77)	(84)	(92)
Discounts	(14,043)	(14,384)	(14,832)	(16,161)	(17,021)	(17,080)
LDD Foster Care	(127)	(167)	(195)	(224)	(244)	(281)
Collectable debit	157,686	167,243	175,104	178,234	196,683	214,424
Council Tax collected to date	(132,684)	(140,932)	(143,315)	(155,772)	(164,381)	(113,683)
Less credit balances	9	12	24	577	1,659	2,690
CTax collection to date	(132,675)	(140,920)	(143,291)	(155,194)	(162,722)	(110,993)
Future collection adjustment	(631)	(1,338)	(1,751)	0	(5,704)	(73,119)
Total projected CTax collection	(133,305)	(142,258)	(145,042)	(155,194)	(168,426)	(184,111)
Benefits & CTR	(20,012)	(20,223)	(25,238)	(23,047)	(22,728)	(24,337)
Total projected income	(153,317)	(162,480)	(170,279)	(178,242)	(191,154)	(208,448)
Actual Collection to date (as at 31st October 2023)	96.8%	96.4%	96.2%	100.0%	94.3%	63.1%
Projected final collection level	97.2%	97.2%	97.2%	100.0%	97.2%	97.2%

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